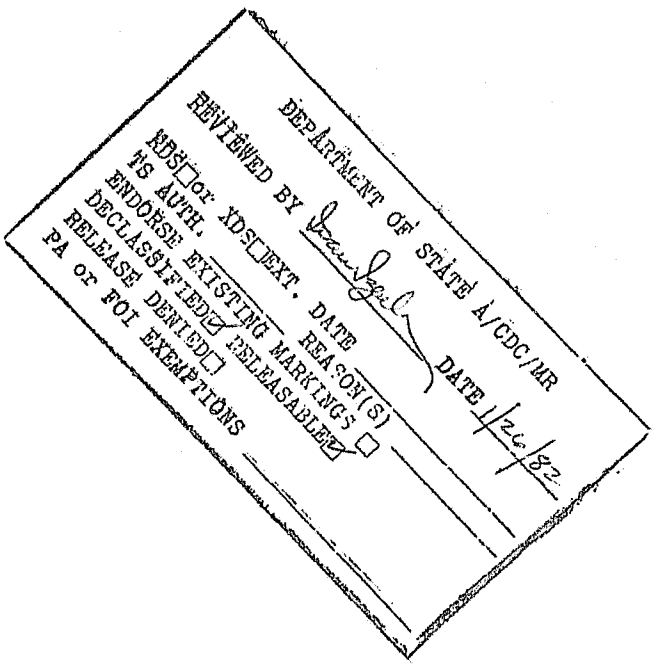

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Department of State TELEGRAM

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PAGE 02 SAIGON 14100 011543Z

3. A JUSTICE OF THE SUPREME COURT CONFIRMED TO US THE SUBSTANCE OF THE ABOVE MENTIONED LETTER. HE ADDED THAT IT WAS IN REPLY TO A REQUEST FROM THE ACTING MINISTER OF INTERIOR (LE CONG CHAT) ASKING THE CHAIRMAN OF THE SUPREME COURT TO DESIGNATE A JUSTICE TO BE CHAIRMAN OF THE CENTRAL ELECTION CAMPAIGN COMMITTEE. (UNDER ARTICLE 19/3 THE CHIEF JUSTICE DESIGNATES A MEMBER OF THE COURT TO SERVE AS THE CHAIRMAN OF THIS COMMITTEE IF THERE ARE ONLY TWO SLATES.) THE JUSTICE SAID THE DECISION OF THE CHIEF JUSTICE, AFTER OBTAINING THE ADVICE OF HIS COLLEAGUES, WAS TO REFUSE TO DESIGNATE A JUSTICE FOR THIS TASK SINCE THERE WAS IN FACT ONLY ONE SLATE REPRESENTATIVE ON THE COMMITTEE. THE CHIEF JUSTICE FELT THE PRESENT SITUATION IS NOT PROVIDED FOR IN THE LAW, AND CONSEQUENTLY HE COULD NOT DESIGNATE A CHAIRMAN UNLESS TWO SLATE REPRESENTATIVES PARTICIPATE. THE JUSTICE WAS NOT CLEAR WHETHER THIS POINT HAD BEEN INCLUDED IN THE LETTER OR NOT. HE HAD THE IMPRESSION THERE HAD ALSO BEEN A SEPARATE QUERY FROM PRESIDENT THIEU HIMSELF AS TO WHETHER THERE ARE NOW ONE OR TWO SLATES IN THE ELECTION.
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A-140 NO.

CONFIDENTIAL HANDLING INDICATOR

TO : Department of State

FROM : Amembassy SAIGON

DATE: September 2, 1971

SUBJECT : The Fairness of the Elections

REF :

1. SUMMARY: The now Acting Minister of Interior Le Cong Chat has apparently been charged with defending publicly the conduct of the elections. To Embassy officers Chat belittled opposition charges of electoral unfairness as routine campaign propaganda and asserted that he and his Ministry are dedicated to implementing scrupulously the electoral laws. END SUMMARY

2. Electoral Fairness. In conversation with Embassy officers August 19, 1971, Le Cong Chat, Acting Minister of the Interior, disparaged accusations by opposition candidates that the Executive is attempting to rig the forthcoming Lower House and Presidential elections. Characterizing most of the allegations as routine campaign propaganda, Chat pointed out that the election laws provide adequate procedures for entering complaints against irregularities, along with penalties for individuals violating the laws' provisions on fairness. Chat stated that while a number of people have complained loudly about the prospect of rigged elections, few, if any, have actually brought cases under the laws.

3. Concerning charges of irregularities in distribution of voting cards, Chat stated that the issuance of cards is done by an IBM computer and that it is technically impossible for this machine to produce two cards for the same individual. Chat also reviewed the procedural requirements imposed by government decree on local officials in recording the number of cards actually received, distributed, and the balance remaining. Chat stated that local officials must account for all undistributed voting cards and also

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Drafted by: POL:AAdams/JSylvester:sfb:jk

Contents and Classification Approved by: POL:LBAskew

Clearances: POL:JSylvester, Jr.

must submit reports stating the reasons why these cards could not be handed over to the intended recipient. Further, Chat noted that the local representative of any candidate is free to examine the officials' reports on the subject of voting cards and voting lists.

4. Chat denied any knowledge of a document (reported by the local press) instructing government officials to "paralyze the opposition" and promote the candidacy of President Thieu by all possible means. Chat stated that in any event his "honor as a civil servant" would prohibit him from implementing its instructions. Chat said that he and his Ministry are "duty bound" to execute the provisions of the Lower House and Presidential election laws in strict accordance with their provisions. He noted that the only instructions which he has received on the subject of the forthcoming elections are orders that the elections be conducted in the "best and fairest possible manner," and that he has been making this point in all his meetings with concerned local officials.

5. Number of Lower House Seats. Commenting on the recently decreed increase of Lower House seats from 152 to 159, Chat explained that the former figure merely represented a preliminary indication of the number of deputies based on the first posting of voters. Chat added 450,000 voters complained that their names were not registered by the first posting. Accordingly, he said, the electors added in the second posting qualified seven provinces to receive one additional Lower House seat based on Article 4 of the Electoral Law ("Any electoral district having over 25,000 voters above and beyond the round numbers of 50,000 will elect an additional deputy").

6. COMMENT: An able and flexible career official, Le Cong Chat became the Acting Minister of Interior when Prime Minister, concurrently Minister of Interior, Tran Thien Khiem took leave of absence effective August 19. Chat's ministry is charged under the Lower House and Presidential election laws with a variety of duties pertaining to the general management of the elections. Chat himself thus has also apparently had to take personally the responsibility for officially answering opposition charges of fraud, as well as publicly explaining the elections. Besides predictably defending the conduct of the elections in his conversation with us, Chat has recently made a series of television appearances. On the People Want To Know show on August 21 he explained at length the electoral mechanics and the duties of voters. On August 25 Chat again spoke at length on TV in a presentation designed to answer some of the various charges of unfairness made by General Minh in a paper released to the press at the time of his withdrawal from the election campaign. (Text of Chat's remarks has been pouched.)

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